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August 30, 1993

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AUG 30 1993

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: Amendment of Section 73.202(b),
FM Table of Allotments
Walla Walla and Waitsburg, Washington
(MM Docket No. 93-201; RM-8213; RM-8252)

Dear Mr. Caton:

Transmitted herewith on behalf of Walla Walla Christian Broadcasters is an original and four copies of its comments and counterproposal in connection with the above-referenced rule making proceeding. These comments are respectfully directed to the Chief, Allocations Branch.

Should any questions arise concerning this matter, please contact this office directly.

Sincerely,


John F. Garziglia

Enclosures

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List A B C D E

AUG 30 1993

Before the
FEDERAL COMMUNICATIONS COMMISSION
 Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
 OFFICE OF THE SECRETARY

In the Matter of)	
Amendment of Section 73.202(b),)	MM Docket No. 93-201
Table of Allotments,)	RM-8213
FM Broadcast Stations.)	RM-8252
(Walla Walla and Waitsburg,)	
Washington).)	

To: Chief, Allocations Branch

COMMENTS AND COUNTERPROPOSAL

Walla Walla Christian Broadcasters, by its attorneys, pursuant to Notice of Proposed Rule Making, DA 93-774, released July 8, 1993, hereby submits its comments and a counterproposal in this proceeding.^{1/} In support there, the following is submitted:

1. Walla Walla Christian Broadcasters proposed the allotment of Channel 256A and Channel 270A at Walla Walla, Washington. Brett E. Miller, proposed the allotment of Channel 270C3 to Waitsburg, Washington. Walla Walla Christian Broadcasters recognizes that an allotment to Waitsburg, Washington constitutes first local aural transmission service. Accordingly, assuming that Brett E. Miller complies with the requirements of the Notice of Proposed Rule Making and continues to express an interest in a first local aural transmission service at Waitsburg, Washington, Walla Walla Christian Broadcasters hereby supports such a channel allotment to Waitsburg and counterproposes the allotment of Channel 270C2 at Waitsburg, Washington, and a substitution of

^{1/} Pursuant to the Notice of Proposed Rule Making, comments were to be filed on or before August 30, 1993.

Channel 255C3 for Channel 269C3 at Prosser, Washington with the modification of the facilities of KZXR(FM), Prosser, Washington to specify operation on Channel 255C3 in order to allow for the allotment of Channel 270C3 to Waitsburg, Washington. Walla Walla Christian Broadcasters continues to support the allotment of Channel 256A to Walla Walla, Washington.

2. The following is supported by Walla Walla Christian Broadcasters as its counterproposal, assuming that Brett E. Miller continues to support an allotment to Waitsburg, Washington and complies with the requirements of the Notice of Proposed Rule Making:

<u>Community</u>	<u>Present</u>	<u>Proposed</u>
Walla Walla, Washington	227C1, 239C, 246C, 264C3	227C1, 239C, 246C, 256A, 264C2 ^{2/}
Waitsburg, Washington	--	270C2 ^{3/}
Prosser, Washington	269C3	255C3 ^{4/}

2/ KHSS, Inc., the licensee of KHSS(FM), Walla Walla, Washington is this day filing a counterproposal seeking the upgrade of the KHSS(FM) facilities from Channel 264C3 to Channel 264C2.

3/ The allotment of Channel 270C2 may be made to Waitsburg, Washington at reference coordinates of 46° 05' 16" North Latitude, 118° 25' 16" West Longitude, at a site restriction of 29 kilometers southwest of Waitsburg. As a maximum facility Class C2 station can be expected to have a city-grade contour of 33 kilometers, city-grade coverage may be expected to the city of Waitsburg from the proposal.

4/ Channel 255C3 may be allotted at the existing coordinates for KZXR(FM), Prosser, Washington of 46° 11' 12" North Latitude, 119° 45' 13" West Longitude.

3. In the event that Brett E. Miller fails to continue to support the allotment of a first local aural transmission service to Waitsburg, Washington, either by the failure to file comments, or the failure to file an affidavit pursuant to footnote 2 of the Notice of Proposed Rule Making, Walla Walla Christian Broadcasters then counterproposes the allotment of Channel 272C2 to Walla Walla, Washington^{5/} with the substitution of Channel 255C3 for Channel 269C3 at Prosser, Washington.

4. In either event, whether Channel 270C2 is allotted to Waitsburg, Washington, or Channel 270C2 is allotted to Walla Walla, Washington, Walla Walla Christian Broadcasters states that in the event it is awarded the construction permit for Channel 270C2 it will reimburse the licensee of KZXR(FM), Prosser, Washington for its reasonable expenses in modifying its facility to operate on Channel 255C3. Walla Walla Christian Broadcasters also states its continuing interest in the allotment of either: (1) the allotment of Channel 256A to Walla Walla, Washington and the allotment of Channel 270C2 to Waitsburg, Washington; or (2) the allotment of Channel 256A and Channel 270C2 to Walla Walla, Washington, and hereby states that it has a present intention to apply for both channels when allotted, and, if authorized, to build both stations promptly.

^{5/} Channel 270C2 may be allotted to Walla Walla, Washington at reference coordinates of 46° 05' 16" North Latitude, 118° 25' 16" West Longitude, representing a site restriction of 6.62 kilometers northwest of Walla Walla, Washington.

WHEREFORE, for the reasons above, Walla Walla Christian Broadcasters proposes (if Brett E. Miller continues to support an allotment to Waitsburg, Washington as first local aural transmission service) the allotment of Channel 270C2 to Waitsburg, Washington and the allotment of Channel 256A to Walla Walla, Washington and the substitution of Channel 255C3 for Channel 269C3 at Prosser, Washington with a modification of the KZXR(FM) facilities to specify operation on Channel 255C3; or (if neither Brett E. Miller nor any other party continues to support an allotment of first local aural transmission service to Waitsburg, Washington) the allotment of Channel 256A and Channel 270C2 to Walla Walla, Washington, and the substitution of Channel 255C3 for Channel 269C3 at Prosser, Washington with a modification of the KZXR(FM) facilities to specify operation on Channel 255C3.

Respectfully submitted,

WALLA WALLA CHRISTIAN BROADCASTERS

By: 
John F. Garziglia
Its Attorney

Pepper & Corazzini
1776 K Street, N.W.
Suite 200
Washington, D.C. 20006
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August 30, 1993

PEPPER & CORAZZINI
WASHINGTON D.C. 20006

Allotment of Channel 270C2 to Waitsburg, WA
Substitute Channel 255C3 for KZXR(FM), Prosser, WA

REFERENCE	CLASS C2	DISPLAY DATES
46 05 16 N	Current rules spacings	DATA 07-28-93
118 25 16 W	CHANNEL 270 -101.9 MHz	

CALL	CH#	CITY	STATE	BEAR'	D-KM	R-KM	MARGIN
AD270	270A	Walla Walla	WA	105.7	7.32	166.0	-158.68 *
AD270	270C3	Waitsburg	WA	47.1	26.94	177.0	-150.06 *
KZXR	269C3	Prosser	WA	276.1	103.55	117.0	-13.45 *
KTSL	270C3	Medical Lake	WA	21.6	176.81	177.0	-0.19 *
KGTS	217C2	College Place	WA	120.0	22.01	20.0	2.01 <
KGDN.C	267C3	Pasco	WA	284.0	61.13	56.0	5.13
KGDN.C	267A	Pasco	WA	284.0	61.13	55.0	6.13
KPQFM	271C	Wenatchee	WA	310.7	202.26	188.0	14.26
KATW	268C1	Lewiston	ID	69.1	115.92	79.0	36.92

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Allotment of Channel 270C2 to Waitsburg, WA
Substitute Channel 255C3 for KZXR(FM), Prosser, WA

REFERENCE	CLASS C2	DISPLAY DATES
46 05 16 N		DATA 07-28-93
118 25 16 W	Current rules spacings	
----- CHANNEL 270 -101.9 MHz -----		

CALL	CH#	CITY	STATE	BEAR'	D-KM	R-KM	MARGIN
AD270	270A	Walla Walla	WA	105.7	7.32	166.0	-158.68 *
AD270	270C3	Waitsburg	WA	47.1	26.94	177.0	-150.06 *
KZXR	269C3	Prosser	WA	276.1	103.55	117.0	-13.45 *
KTSL	270C3	Medical Lake	WA	21.6	176.81	177.0	-0.19 *
KGTS	217C2	College Place	WA	120.0	22.01	20.0	2.01 <
KGDN.C	267C3	Pasco	WA	284.0	61.13	56.0	5.13
KGDN.C	267A	Pasco	WA	284.0	61.13	55.0	6.13
KPQFM	271C	Wenatchee	WA	310.7	202.26	188.0	14.26
KATW	268C1	Lewiston	ID	69.1	115.92	79.0	36.92

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WASHINGTON D.C. 20006

Substitute Channel 255C3 for Channel 269C3 at Prosser, WA
Modify Operation of KZXR(FM) to Specify Operation on Channel 255C3

REFERENCE		CLASS C3	DISPLAY DATES
46 11 12 N			DATA 07-28-93
119 45 13 W		Current rules spacings	
----- CHANNEL 255 - 98.9 MHz -----			

CALL	CH#	CITY	STATE	BEAR'	D-KM	R-KM	MARGIN
KKZX	255C	Spokane	WA	50.1	243.98	237.0	6.98
KQFM	257A	Hermiston	OR	136.2	49.38	42.0	7.38
KEYW	252A	Pasco	WA	95.0	50.70	42.0	8.70
AD256	256A	Walla Walla	WA	96.7	110.79	89.0	21.79
KZTAFM	257A	Yakima	WA	305.6	65.85	42.0	23.85
KRSE	252A	Yakima	WA	305.3	66.08	42.0	24.08
KTCV	201A	Kennewick	WA	85.3	42.51	12.0	30.51
KUBQ.C	254C2	La Grande	OR	119.8	166.78	117.0	49.78

CERTIFICATE OF SERVICE

I, Tracey Westbrook, a secretary in the law firm of Pepper & Corazzini, do hereby certify that a true copy of the foregoing Comments and Counterproposal were sent this 30th day of August, 1993, by first class U.S. mail, postage prepaid, to the following:

Brett E. Miller
11608 Blossomwood Court
Moorpark, California 93021

Bogart-Funk Enterprises, Inc.
KZXR(FM)
1227 Hillcrest Drive
Prosser, Washington 99350
[Licensee of KZXR(FM), Prosser, Washington]


Tracey Westbrook